

EXHIBIT 4

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THE UNITED STATES DISTRICT COURT

THE DISTRICT OF COLUMBIA

THE ESTATE OF ESTHER KLIEMAN, et al.,)

Plaintiff,)

vs.)

Case No.

) 04-1173 (PLF) (JMF)

THE PALESTINIAN AUTHORITY, et al.,)

Defendants.)

_____)

DEPOSITION OF

HASAN ABU-LIBDEH

East Jerusalem, Israel

June 16, 2010

REPORTED BY: AMY R. KATZ, RPR

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| <p>1 population registry?</p> <p>2 A. If a Palestinian is registered in the</p> <p>3 population registry, that Palestinian has a unique</p> <p>4 number. If that Palestinian is not registered in the</p> <p>5 population registry, they do not have a unique number.</p> <p>6 They do not have a number, even.</p> <p>7 Q. And the definition of the term "unique</p> <p>8 number," would that be synonymous or the same as an</p> <p>9 identity or an identification number?</p> <p>10 A. I fail to understand the difference.</p> <p>11 Q. I don't think there is a difference, but if</p> <p>12 there is, I'm trying to understand --</p> <p>13 A. I fail to understand the difference.</p> <p>14 Q. So would it be accurate to say, based on</p> <p>15 your understanding, when you referred to the term "a</p> <p>16 unique number," with reference to the Oslo Accords, you</p> <p>17 are referring to the identity or identification number</p> <p>18 assigned by Israel to each person registered in the</p> <p>19 population registry of the Palestinian National</p> <p>20 Authority; is that correct?</p> <p>21 A. Of the Palestinian people living in the West</p> <p>22 Bank and Gaza.</p> <p>23 Q. Thank you.</p> <p>24 A. Including Jerusalem.</p> <p>25 Q. Thank you.</p> | <p>1 then the same identification number used, if I</p> <p>2 understand correctly, in the records of the Palestinian</p> <p>3 National Authority; is that correct?</p> <p>4 A. Yes.</p> <p>5 Q. Thank you.</p> <p>6 Now, you also indicated, in answering a</p> <p>7 previous question, that the Palestinian National</p> <p>8 Authority's Personnel Bureau may also assign a serial</p> <p>9 number for administrative records in the archives for</p> <p>10 employees of the Palestinian National Authority; is</p> <p>11 that correct?</p> <p>12 A. Correct.</p> <p>13 Q. Sir, that serial number, is it the same as</p> <p>14 or a different number than the unique identification</p> <p>15 number to which you have just been defining and</p> <p>16 describing?</p> <p>17 A. It is a different number, but doesn't</p> <p>18 replace the unique number.</p> <p>19 Q. Thank you.</p> <p>20 Today, who is the head, as best you recall,</p> <p>21 of the Palestinian National Authority's Personnel</p> <p>22 Bureau?</p> <p>23 A. Dr. Hussein al-Araj.</p> <p>24 Q. And earlier you testified that the Personnel</p> <p>25 Bureau is a -- maybe you used the word</p> |
| Page 75 | Page 77 |
| <p>1 Now, as to that identification number, when</p> <p>2 a person is born in the West Bank or Gaza, after the</p> <p>3 establishment of the Oslo Accords, does that person</p> <p>4 receive an identification number, being the unique</p> <p>5 number to which you've just referred?</p> <p>6 A. Yes.</p> <p>7 Q. And at the time of that birth, is it</p> <p>8 registered in the Palestinian National Authority's</p> <p>9 population registry?</p> <p>10 A. The Palestinian Authority does not have a</p> <p>11 population registry.</p> <p>12 Q. Who maintains the population register?</p> <p>13 A. Israel. We use the population registry, but</p> <p>14 we don't own it.</p> <p>15 Q. Thank you.</p> <p>16 So when there is a live birth in a</p> <p>17 Palestinian area, then that live birth is registered in</p> <p>18 the population registry maintained by the State of</p> <p>19 Israel?</p> <p>20 A. Yes.</p> <p>21 Q. And made available to the Palestinian</p> <p>22 National Authority; is that correct?</p> <p>23 A. Correct.</p> <p>24 Q. And each new live birth is given a unique</p> <p>25 number or identification number by Israel, which is</p> | <p>1 "semi-independent," I'm not sure of the exact word,</p> <p>2 bureau.</p> <p>3 Can you tell the court the status of the</p> <p>4 Palestinian National Authority's Personnel Bureau</p> <p>5 today, in terms of its relationship to the government</p> <p>6 of the PA and its ministries?</p> <p>7 A. It is independent of the ministries,</p> <p>8 accountable to the cabinet, but it's a government</p> <p>9 agency.</p> <p>10 Q. Thank you.</p> <p>11 Is the Personnel Bureau of the Palestinian</p> <p>12 National Authority maintained in Ramallah, in the West</p> <p>13 Bank, or somewhere else?</p> <p>14 A. Which period?</p> <p>15 MR. O'TOOLE: I'm going to object.</p> <p>16 Q. 2000 -- 2000 to 2005.</p> <p>17 A. Mostly in Gaza, with a branch in Ramallah.</p> <p>18 Q. And where is the Personnel Bureau of the</p> <p>19 Palestinian National Authority based today?</p> <p>20 A. In Ramallah.</p> <p>21 Q. Please describe to the court how, if at all,</p> <p>22 the Hebron Accords or the Wye River Accords affected</p> <p>23 the structure, ministries, infrastructure, and</p> <p>24 institutions of the Palestinian National Authority, in</p> <p>25 comparison to what you've already described that was</p> |

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| <p style="text-align: right;">Page 186</p> <p>1 A. Correct.</p> <p>2 Q. Thank you.</p> <p>3 I handed you what was exhibit --</p> <p>4 A. 23?</p> <p>5 Q. 23, now I'll hand you Exhibit 24 and ask if</p> <p>6 you can identify this list, being Klieman Bates number</p> <p>7 1271 through 1273, as the Palestinian National</p> <p>8 Authority government for the calendar year 2002.</p> <p>9 (Exhibit 24 marked.)</p> <p>10 A. Yes.</p> <p>11 Q. And in the calendar year 2002, did there</p> <p>12 come a particular time when Dr. Salam Fayyad became the</p> <p>13 finance minister?</p> <p>14 A. Yes.</p> <p>15 Q. And so this Exhibit 24 lists him as the new</p> <p>16 finance minister; is that correct?</p> <p>17 A. Correct.</p> <p>18 Q. And earlier I asked you about the reforms</p> <p>19 that were adopted by the Palestinian National Authority</p> <p>20 in 2002, and you said you thought that happened perhaps</p> <p>21 in August. I asked you if it might have happened in</p> <p>22 June.</p> <p>23 In relation to those reforms, in the summer</p> <p>24 of 2002, please tell the court, as the designated</p> <p>25 representative of the Palestinian Authority, what were</p> | <p style="text-align: right;">Page 188</p> <p>1 A. Number 2 and number 18.</p> <p>2 Q. And their names?</p> <p>3 A. Number 2 is Yasser Abed Rabbo, number 18 is</p> <p>4 Dr. Samir Ghosheh; both were members of the Executive</p> <p>5 Committee of the PLO, but both represented the cabinet</p> <p>6 in their capacities as relating to political parties.</p> <p>7 Q. Which political parties?</p> <p>8 A. Yasser Abed Rabbo at the time was leading a</p> <p>9 party called FIDA, which was -- it was a breakaway from</p> <p>10 another party, and the other one was the chairman of</p> <p>11 the -- what is it called?</p> <p>12 (Brief comment in Arabic by the witness.)</p> <p>13 INTERPRETER SHABIB: "The Popular Struggle</p> <p>14 Front."</p> <p>15 A. The Popular Struggle for Palestine, or</p> <p>16 Front. This was in their capacity, because the</p> <p>17 government was formed as a result of coalition</p> <p>18 discussions between political parties. So those</p> <p>19 political parties have designated representatives in</p> <p>20 the government.</p> <p>21 Q. Were a majority of the ministers of the</p> <p>22 cabinet as of March 24, 2002, from the Fatah party?</p> <p>23 A. The majority here does not mean 51 percent,</p> <p>24 but the largest number of ministers were designated by</p> <p>25 Fatah.</p> |
| <p style="text-align: right;">Page 187</p> <p>1 the areas of reforms that were adopted and implemented?</p> <p>2 A. You are referring to a report which was</p> <p>3 drafted by the Legislative Council concerning reforms</p> <p>4 that are related to the powers and responsibilities of</p> <p>5 the Legislative Council, and reforms related to the</p> <p>6 electoral environment, and reforms relating to the</p> <p>7 civil society and others. I don't remember the long</p> <p>8 list of detailed reforms that they were demanding and</p> <p>9 accepted, demanded by the Legislative Council and</p> <p>10 accepted by the president in a speech which he</p> <p>11 delivered, I think, in August 2002.</p> <p>12 Q. Did any of those reforms relate to issues,</p> <p>13 sir, arising out of the existence of the Second</p> <p>14 Intifada, or the Palestinian National Authority</p> <p>15 learning information about the al-Aqsa Martyrs'</p> <p>16 Brigades?</p> <p>17 A. I don't remember.</p> <p>18 Q. Thank you.</p> <p>19 On March 24, 2002, were there members of</p> <p>20 the Palestinian National Authority cabinet who were</p> <p>21 also officers and officials within the Palestine</p> <p>22 Liberation Organization, other than Chairman Arafat?</p> <p>23 A. I have to look.</p> <p>24 Yes, there were two.</p> <p>25 Q. Who were they?</p> | <p style="text-align: right;">Page 189</p> <p>1 MR. O'TOOLE: Could the record reflect that</p> <p>2 the witness is looking at the document, Exhibit 24, as</p> <p>3 he's making this answer, and paraphrasing, it appears,</p> <p>4 from paragraph 24, or from Exhibit 24.</p> <p>5 Q. Did the ministers receive their appointments</p> <p>6 because they came from different political parties in</p> <p>7 2002, or were there coalition agreements, or on what</p> <p>8 basis did they become ministers of the Palestinian</p> <p>9 National Authority?</p> <p>10 A. The Palestinian National Authority has its</p> <p>11 very clear well-defined mandate, and the political</p> <p>12 parties who were backing this cabinet -- because this</p> <p>13 cabinet has to earn the vote of confidence in the</p> <p>14 Legislative Council to function -- those who accepted</p> <p>15 the program of this cabinet have voted for it, so it</p> <p>16 became a legitimate creature.</p> <p>17 So the agreement to enter into this was a</p> <p>18 result of political dialogue between political parties.</p> <p>19 But once the agreement is there, the program, mandate,</p> <p>20 functions, and whatever was most of the PNA, because</p> <p>21 the vote of confidence usually takes place not on the</p> <p>22 basis of the political affiliation in the Legislative</p> <p>23 Council, but rather in terms of what is being offered</p> <p>24 as a program for deliberating on behalf of the</p> <p>25 government.</p> |